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March 10, 2008

Via Facsimile and ECF
Honorable Judge Richard J. Holwell
United States District Court SDNY
500 Pearl Street
New York, New York 10007

Re: Lucille Orillaneda v. The French Culinary Institute Docket No. 07 CV 3206 (RJH)

Dear Judge Holwell:

I am writing on plaintiff's behalf to respectfully request an extension of time for the completion of discovery in the above-captioned matter. This request is being necessitated by the parties inability to complete discovery by March 31, 2008, due to discovery issues which the parties are attempting to resolve. Presently, plaintiff is seeking to obtain important documents that are missing from defendants' document production. On February 28, 2008 Plaintiff sent defendant a deficiency letter. Until plaintiff obtains the missing documents, plaintiff is unable to know the witnesses she needs to depose. Defendant has indicated that it will be making the missing document available at the close of discovery, which is unacceptable. Further, Defendant's counsel states that one of two key witnesses plaintiff is seeking to depose is unavailable until after the close of discovery. As defendant has insisted on priority of depositions, plaintiff has not yet been able to depose any witnesses.

Because a conference may be necessary to address the discovery disputes, and defendant's counsel is not permitting plaintiff to obtain the discovery she needs now, it is requested that the deadline for discovery be extended pursuant to the proposed schedule:

- Fact Discovery Completion by May 31, 2008
- Expert Discovery Completion by May 31, 2008
- Delivery of Expert Reports by Plaintiff- April 30; by Defendant - May 31, 2008
- Date for filing Dispositive Motions by July 31, 2008

I have advised defendant's counsel that I would be requesting the adjournment of the discovery deadline because of these outstanding discovery issues, and she has indicated that she has no opposition to plaintiff's request. This extension is being requested to ensure that the outstanding discovery issues are resolved, and that plaintiff receives the requested discovery.

In closing, I thank you for your consideration of this request.

Respectfully submitted,
X Elizabeth A. Mason

Elizabeth A. Mason

cc: Shivani Sonie, Esq.

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Via Facsimile and First Class Mail
Shivani Sonie, Esq.
Wilson Elser, Moskowitz
150 East 42nd Street
New York, New York 10017

Re: Orillaneda v. The French Culinary Institute a/k/a Bear Cove Civ 07-3206

Dear Shivani:

I am writing in follow up to my February 28 letter, and our conversation last Thursday, March 13. As you are aware, I am entitled to receive the outstanding documents responsive to plaintiff's Document Request. Defendants' failure to produce these documents is causing irreparable prejudice to plaintiff. These documents are absolutely necessary to determine what additional discovery is needed, the preparation for plaintiff's deposition, and preparation for the depositions of defendants' employees. As you are intending on taking plaintiff's deposition on March 18, 2008, I have made arrangements to have a messenger pick the missing documents up at your office on Wednesday at 1:00 p.m., March 12, 2008.

Further, given your statement that your witnesses are unavailable to be deposed until April 1, 2008, I have drafted a letter to the Court, requesting the extension of the discovery deadline.

Very truly yours,

X Elizabeth A. Mason

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